

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2698 of 2019

Arising Out of PS. Case No.-189 Year-2019 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Pawan Singh @ Pawan Kumar Son of Siyaram Singh Resident of Village - Saiya Nagar, P.S.- Muffasil, District- East Champaran
 2. Raj Kumar Singh Son of Siyaram Singh Resident of Village - Saiya Nagar, P.S.- Muffasil, District- East Champaran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Dharmendra Kumar Singh
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 24-07-2019 Heard learned counsel for the appellants and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act against the refusal of prayer for bail vide order dated 25.05.2019 passed by learned 1st Addl. Sessions Judge, East Champaran at Motihari in Mufassil P.S. Case No. 189 of 2019 registered under Sections 341, 323, 307, 379/34 of the Indian Penal Code and Section 3(i)(d)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



Appellants along with one other accused, namely, Manish Kumar are said to have slated the informant in the name of his caste on his way to the shop. They also arrived at the shop of the informant and assaulted him by means of knife.

It is submitted by learned counsel for the appellants that the appellants have no concern with the aforesaid occurrence. They have been falsely implicated in this case due to previous animosity. There is case and counter case between the parties. Allegation levelled against the appellants is not specific rather general and omnibus in nature. The informant has sustained only two sharp cut injury on his left eyebrow and nose, both are skin deep. Appellants have been languishing in custody since 02.05.2019.

Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellants are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge, East Champaran at Motihari in connection with Mufassil P.S. Case No. 189 of 2019.

Accordingly, the impugned order is set aside and



appeal is allowed.

(Prakash Chandra Jaiswal, J)

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